

MEMO ENDORSED

**Mintz &
Gold**

USDC SDNY
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June 18, 2024

VIA ECF

Honorable Valerie Caproni, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 443
New York, New York 10007

Re: *In re Navidea Biopharmaceuticals Litigation, Case No. 19-cv-01578-VEC*

Dear Judge Caproni:

This firm is outgoing counsel for Navidea Biopharmaceuticals, Inc. (“Navidea”) and Macrophage Therapeutics, Inc. (“Macrophage”) in the above-referenced action. We write to request that the Court modify the Order entered yesterday that did not include Macrophage in the relief granted and did not specify the method of service. While Macrophage is not presently a participant in the trial, they will still need counsel to represent them in future proceedings. As they were subject of the application to be relieved, we would ask the Court to amend the order to make clear that Mintz & Gold LLP will be relieved as counsel for Macrophage as well.

As Your Honor is aware a client representative of Navidea and Macrophage was in the Courtroom yesterday and is aware of the actions the court was taking. We would therefore request that service of the June 18, 2024 order (and, a new order, if amended), make clear that service via e-mail and FedEx will be sufficient service. If the Court is amendable to make these changes today, we will be able to comply with the service requirements today.

We thank Your Honor for your attention to this matter.

Respectfully submitted,

/s/ Barry M. Kazan

Barry M. Kazan

cc: Craig Dais (via e-mail)
J.K. Scott (via e-mail)
Counsel of Record (via ECF)

The Court's order at Dkt. 355 is amended to the extent that Mintz & Gold's motion to withdraw as counsel for both Navidea and Macrophage will be GRANTED effective June 19, 2024, contingent on its compliance with the requirement to serve a copy of the order at Dkt. 355 and this endorsement on Navidea and Macrophage by June 18, 2024 and file proof of service on the docket by June 19, 2024. Mintz & Gold must serve the order and this endorsement by email and FedEx.

SO ORDERED.

6/18/2024

A handwritten signature in blue ink, appearing to read "Valerie Caproni". The signature is fluid and cursive, with the first name "Valerie" written in a larger, more prominent script than the last name "Caproni".

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE